

REMARKS

Claims 1 and 3-18 presently appear in this case and stand rejected.

Applicants thank Examiner Kingan for his time and consideration during the telephone interviews with the undersigned on October 6th and 8th, 2009. In the interviews, the examiner expressed concern with respect to the term "closer" in claim 1. The examiner asked "how much closer" the inclination surface of one wall must be to the entrance of the channel device than the other inclination surface of the other wall in order to be within the meaning of "closer."

In reply, Applicants contend that the claim language of "the inclination surface of one of the left wall or the right wall, which forms the nozzle, is closer to the entrance of the channel device than the inclination surface of the other wall" is clear on its face to mean that the inclination surface of one wall must be closer to the entrance than the other surface, regardless as to how much closer. How much closer should not matter. The point is that it is closer. This is clearly shown in Figure 4 and is described at page 3, line 21 to page 4, line 5, and at page 6, lines 18-24 of the specification. At these locations, the specification clearly discloses and/or shows how one inclination surface is positioned closer to the entrance, i.e., before the

inclination surface of the other wall when moving from the entrance of the channel. It is believed that the skilled artisan would clearly understand and appreciate this language as being clear and definite.

In the interview, the examiner discussed alternative language. It was agreed that amending claim 1 along the lines of the description at page 6, lines 18-24 would place the claims in condition for allowance. For the sole purpose of expediting prosecution, Applicants have amended claim 1 along the lines of the disclosure at page 6, lines 18-24, as discussed in the interview. Accordingly, claim 1, as amended, now recites "wherein the inclination surface of one of the left wall or the right wall, which forms the nozzle, is placed on the entrance of the channel device and the inclination surface of the other wall is placed at a distance L from the entrance of the channel device, wherein the distance L is set by a factor of a diameter of the micro particle." The arguments in the June 19, 2009 response traversing the prior art rejections are reiterated herein by reference, as they apply to the amended claim language. None of the cited references disclose two inclination surfaces on opposing walls, wherein one inclination surface is closer to the entrance of the channel device than the inclination surface of the other wall by a distance L that is set by a factor of a

diameter of the micro particle. Thus, claim 1 is believed to be novel and non-obvious over the cited references.

Claim 3 has also been amended to change its dependency to claim 1.

New claim 19 has been added that is directed to the alternative embodiment disclosed at page 4, lines 2-5.

No new matter has been added.

Claims 1 and 3-19 are pending upon entry of this amendment. These claims define patentable subject matter warranting their allowance for the reasons discussed in the interview and herein.

Allowance of the claims is solicited.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By Jay F. Williams
Jay F. Williams
Registration No. 48,036

JFW:pp

Telephone No.: (202) 628-5197

Faxsimile No.: (202) 737-3528

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